

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-6 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Rejection Under 35 USC 102

Claims 1-6 stand rejected under 35 USC 102 as being anticipated by Comstock et al. (U.S. Patent 5,183,182). This rejection is respectfully traversed.

First, Applicant questions the Examiner's statement on page 4 that the previous arguments have been considered but are moot in view of the new grounds for rejection. Applicant submits that the present grounds for rejection are exactly the same as in the previous Amendment, that is, all of the claims are rejected under 35 USC 102 as being anticipated by U.S. Patent 5,183,182. The Examiner is requested to explain how this constitutes a new ground of rejection.

Applicant submits again that the Examiner has not correctly understood the workings of the reference. In the previous response, Applicant noted that the Examiner called the stationary base and the main body by the same number 24. The Examiner now states that the stationary base is 32 and the main body is 24. Applicant submits that this is still incorrect. As noted at the top of Col. 3 of the reference, shell 24 has two parts, a bottle holding part 26 and a hinged cover part 28. The bottles 20 and valves 22 are mounted on the holder part 26 and covered by cover part 28. Thus, in some sense it might be correct to state that the holder part 26 is similar to the stationary base since it is attached to the wall. The main body, would then be somewhat similar to the bottles and valves. However, the Examiner has tried to indicate that the stationary base is reference number 32. However, as indicated at Col. 3, line 17, reference numeral 32 is the back

face of the holder 26. Thus, it is not seen how the Examiner can consider the holder as being the main body and its own back face as being the stationary piece. Again, Applicant submits that these are the same element and not two separate parts as indicated by the Examiner.

Applicant further submits that claim 1 is not anticipated by Comstock et al. for other reasons. The claim now describes the cover for the main body. This is seen in the present application as number 40 in Fig. 2. The Examiner has referred to the cover as being element 67. Applicant has been unable to locate the description of this element in the specification, but it appears to be referring to the sidewalls of cover 28. It is assumed that the Examiner means to refer to the entire cover. However, this cover does not cover the main body, but instead covers holder part 26, which might be considered to be the stationary base. The claim also describes a fastener for holding the stationary base to the main body. The Examiner has indicated that this is element 56. Applicant submits that this fastener does not hold the stationary base to the main body, but instead latches the cover to the holder 26 which may be considered the stationary base (Col. 3, line 46).

In regard to the claimed concave located on top of the stationary base, the Examiner has referred to the concave inside of the cover. Even if this can be considered a concave in the same sense as is presently claimed, it is not part of the stationary base, but rather covers the entire stationary base. The claim also describes a "T" shape pillar on the back of the main body. The Examiner has referred to pillar 36 with ends 44 and 46. However, even if this arrangement does form a T shaped pillar, it is not part of the main body, but rather on the back of the stationary base. The Examiner has also identified the slot as being above item 72 in Fig. 7. However, this location is again not part of the main body.

The claim also describes a protruding rib on the back of the cover. The Examiner has identified this as element 62 of the reference. However, raised formation 62 (Col. 3, line 55) is not part of the cover, but rather part of the bottle holding part 26. Accordingly, Applicant submits that the Examiner is incorrect in this identification as well.

Thus, Applicant submits that the Examiner has misidentified a number of parts of the reference and that the parts do not meet the terms of the claim as presently defined. Accordingly, Applicant submits that claim 1 is allowable.

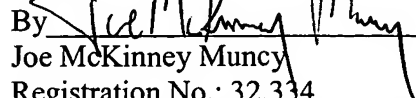
Claims 2-6 depend from claim 1 and as such are also considered to be allowable. In addition, each of these claims recite other features of the invention which make the additionally allowable. These include the protruding hook, the opening of the holding hole, a spring shaped tenon, a concave area with nail holes and the inner brim. Applicant submits that these limitations are also not seen in the reference and accordingly, these claims are additionally allowable.

Conclusion

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner. In view of this, reconsideration of the rejections and allowance of all of the claims are respectfully requested.

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Respectfully submitted,

By 
Joe McKinney Muncy
Registration No.: 32,334
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant